

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 1

Phoenix Division

MDL 15-2641-PHX-DGC

DATE: 5/15/2018

Year Case No Initials

Title: IN RE: Bard IVC Filters Products Liability Litigation

HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Laurie Adams

Court Reporter

APPEARANCES:

Ramon Lopez, Mark O'Connor, Julia Reed-Zaic, David Wenner, John Campbell,
Paul Stoller, Shannon Clark, Lincoln Combs, Joshua Mankoff and Laura Smith

Attorney(s) for Plaintiff(s)

Richard North, James Condo, Elizabeth Helm, James Rogers, Amanda Sheridan,
Candace Camarate, Mark Gerard and Mark Linder

Attorney(s) for Defendant(s)

PROCEEDINGS: X Jury Trial X Voir Dire/JURY SWORN

2nd Bellwether Trial- Plaintiff Doris Jones - Present

8:30 Court in session. Parties are present. Attorney advertisement on Bard litigation seen by defense counsel this morning discussed. Court finds not appropriate to run ads during trial. Plaintiff's counsel shall investigate and stop the advertisements. Court will address with jury panel. Court will read stipulated facts prior to opening statements. Plaintiff objections to slides to be used in defendant's opening argument discussed. Defendant to edit the slides as stated on the record. 8:50 Court in recess.

9:10 Court in session. Counsel and parties are present. Jury panel of 59 present. Jury panel sworn and voir dire begins. 10:28 Court in recess.

10:47 Court in session. Counsel and parties are present. Jury panel of 59 present, voir dire continues. 11:15 Jury panel excused from courtroom. Court excuses juror 24 and 26 for hardship. No objections. Plaintiff challenges for cause: 48,67,5,20,23,27,30 granted. Defendant has no challenges for cause. 11:37 Court in recess. Parties make their peremptory strikes.

11:55 Court in session. Counsel and parties are present. Following jurors chosen as the jury in this trial: 8,9,10,13,29,32,34,36 and 42. No objections. 11:59 Jury panel present. The 9 chosen jurors called forward and seated. Remaining panel is excused. 12:08 Court in recess.

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Day 1 Jury Trial- Jones Trial

1:11 Court in session. Counsel and defendant are present. Jury is present. Preliminary jury instructions read. Stipulated facts read. 1:34 Plaintiff opening statement. 2:42 Jury excused for break. Defendant objection to exhibit 1305 discussed. Further discussion end of day. 2:45 Court in recess.

3:02 Court in session. Counsel and defendant are present. Jury is present. Defendant opening argument. 4:07 Court instructs jury on video depositions. Exhibits 1948,1950,1951,2244,1940,1941,1944,1946,1947,735,1949 admitted with redactions. 4:11 Gin Schulz appears by video deposition. 4:30 Jury excused until 9:00 a.m. on 5/16/2016. Plaintiff objections to defendant opening statement discussed. Court takes under advisement. Objections to exhibit 1305 to be used with Jason Greer deposition discussed. Exhibit to be redacted as stated on the record. Counsel to continue working on stopping the t.v. advertisements. Counsel to be present at 8:30 a.m. on 5/16/2018.

5:00 Court in recess.